

# United States District Court

## NORTHERN DISTRICT OF CALIFORNIA

MYGUIDE HOLDING GMBH, and  
MYGUIDEGPS LTD.

### SUMMONS IN A CIVIL CASE

CASE NUMBER:

v.

RANDOLPH KEMPS, an individual, ARES  
DIGITAL INC., and MYGUIDE (USA) INC.

CV: 08

0057 JF

TO: (Name and address of defendant)

Randolph Kemps  
36 Ralston Road  
Atherton, California 94027

Ares Digital Inc.  
1817 Houret Court  
Milpitas, California 95035

MyGuide (USA) Inc.  
36 Ralston Road  
Atherton, California 94027

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Harvey Siskind LLP  
4 Embarcadero Center, 39th Floor  
San Francisco, California 94111

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wieking

CLERK

DATE 1-4-08

  
(BY) DEPUTY CLERK

**ANNA SPRINKLES**

AO 440 (Rev. 8/01) Summons in a Civil Action

| <b>RETURN OF SERVICE</b>   |          |                             |
|--|----------|-----------------------------|
| Service of the Summons and Complaint was made by me <sup>1</sup>   |          | DATE<br>January 5, 2008     |
| Name of SERVER<br>Morris E. Phillips   |          | TITLE<br>RPS: 2004--0000874 |
| <i>Check one box below to indicate appropriate method of service</i>   |          |                             |
| <div style="display: flex; align-items: flex-start;"> <div style="margin-right: 10px;"> <input checked="" type="checkbox"/> </div> <div> <p>Served Personally upon the Defendant. Place where served:</p> <p>Randolph Kems Residence, 36 Ralston Road, Atherton, California 94027<br/>on Randolph Kems individually and as agent for Ares Digital, Inc. and<br/>MyGuide (USA) Inc.</p> </div> </div> <div style="margin-top: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.<br/>Name of person with whom the summons and complaint were left:         </div> <div style="margin-top: 20px;"> <input type="checkbox"/> Returned unexecuted:         </div> <div style="margin-top: 20px;"> <input type="checkbox"/> Other (specify):         </div> |          |                             |
| <b>STATEMENT OF SERVICE FEES</b>   |          |                             |
| TRAVEL   | SERVICES | TOTAL                       |
| \$78.00  | \$8.00   | \$86.00                     |
| <b>DECLARATION OF SERVER</b>   |          |                             |
| <p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>Executed on <u>January 5, 2008</u></p> <p style="text-align: center; font-size: small;">Date</p> </div> <div style="width: 45%;"> <p><u>Morris E. Phillips</u></p> <p style="text-align: center; font-size: small;">Signature of Server</p> <p><u>41 Sutter St., San Francisco, CA 94104</u></p> <p style="text-align: center; font-size: small;">Address of Server</p> </div> </div>  |          |                             |
| <p>(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure</p>  |          |                             |